

Minutes
Small Business Compliance Advisory Panel
Tuesday, August 7, 2007

In Attendance:

Kevin Hooper
Paul Glauser, Staker and Parsons Companies
Brad Overmoe, Red Hanger Cleaners
Marie Marshall, Chamber East Chamber of Commerce
Mark May, May Foundry
Don Lewon, Utah Metal Works
Bryce Bird, Division of Air Quality

Cheryl Heying, Division of Air Quality
Jay Morris, Division of Air Quality
Bob Ford, Division of Air Quality
Greg Sorenson, Division of Air Quality
Renette Anderson, Department of Environmental Quality

Approval of Minutes

Marie Marshall requested that the minutes be changed to reflect the correct name of her Chamber of Commerce, "Chamber East." Kevin Hooper asked that his name be listed under "Excused." Paul Glauser made a motion to approve the minutes as corrected. Brad Overmoe seconded the motion, which passed unanimously.

Changes at DEQ

Bryce Bird

Dianne Nielson has been named Energy Advisor to Governor Huntsman. As she stepped up, Rick Sprott was tapped to become the Director of the Department of Environmental Quality. Cheryl Heying was then asked to fill his vacancy as the Director of the Division of Air Quality. Bryce Bird then stepped over into her old slot as the Planning Branch Manager. Bryce's former position as Compliance Branch Manager is currently being recruited.

Cheryl expressed excitement about her new position and highlighted the following current issues:

Air Quality funding: Rick, as former Air Director, understands and is working to resolve the funding concerns of the program.

Climate Change: As options have been considered, an effort has been made to recognize potential impacts to Utah's small businesses.

New PM 2.5 Standard: EPA has proposed cutting the old standard in half, a move that will have a big impact on Utah. The State has been in violation of the standard. The

Division will be working with stakeholders to determine ways for Utah to best meet the requirements. Information needs to be into EPA by the end of the year.

Her focus: Cheryl likes common solutions. She would like to see a diesel retrofit program and will be considering that, and other things, that will give the “biggest bang for the buck.” She also likes diesel retrofit because it will benefit school children. Her division is working with school districts to figure out the best way to implement a program to get school bus diesel particulate out of the air.

Cheryl expressed her appreciation to the CAP for the work it does. She felt the Division had good relations with small business because of the interactions that occur.

Other issues: Don Lewon noted the Division’s work on climate change and noted that reversing global warming would not be simple. Cheryl agreed that it would be very difficult and the importance of energy efficiency in the process. Energy efficiency not only benefits climate change, it also helps business’ bottom line. Don reply that in some areas small business was doing a great job; in other ways, it was not doing enough and needed to do better.

Compliance and Regulatory Update

Bryce drew the group’s attention to the tables posted here:

1. [Highest PM2.5 - June to July 16, 2007](#)
2. [Daily PM2.5 - June 2007](#)
3. [Daily PM2.5 - 2007](#)
4. [Highest PM10 for June to July 16 2007](#)
5. [Daily PM10 - June 2007](#)
6. [Daily PM10 - July 2007](#)
7. [Highest 8 hr Ozone June - July 16, 2007](#)
8. [Ozone 8 hr. June 2007](#)
9. [Ozone 8 hr. July 2007](#)
10. [PM2.5 Actual Concentration \(24 hr average\) June 2007](#)
11. [PM2.5 Actual Concentration \(24 hr average\) July 2007](#)
12. [47mm Partisol June 2007](#)
13. [47mm Partisol July 2007](#)
14. [2007 Ozone Exceedance Day List](#)
15. [Utah Ozone summary Projection 2007](#)

He said that since early June, areas of the Wasatch Front have had trouble meeting the ozone standard. Almost every monitoring station has registered levels over the standard at some point. Part of the issue has been the high temperature and the lack of cloud cover. DAQ can ask business and others to help control emissions; there isn’t anything it can do to control the sunshine.

Kevin Hooper asked how the fires factored in to the higher pollution levels. Bryce said there had been an impact and explained that, under EPA rules, exceptional event could be taken into consideration. EPA's new rules were released for public comment this Spring. Information is available here: <http://www.epa.gov/groundlevelozone/actions.html> The current ozone standard is now .088. The proposed standard is .07 (entire State) and .075 (Wasatch Front). Utah now attains the current standard. However, if the proposed standard is adopted, all of the Wasatch Front will have trouble meeting it. The final rule is due out in March 2008. Paul Glauser asked what the impact would be if the standard is lowered. Bryce said that, among other things, permits would be stricter.

Bryce explained the process Utah would use to implement the new standard. First, the division would look at the current monitoring data. One area which may be in trouble, for example, is Bountiful. Levels there this summer have been "just barely" .08. If an area would not be in compliance with the new levels, a State Implementation Plan (SIP) would be developed outlining ways the levels could be met. Air quality requirements would be stricter in this area. Once the new standard is set, areas have 15 years to come into compliance. After that time, Federal Highway Funds will be cut.

Kevin Hooper asked if other states were in the same dilemma. Bryce indicated that they were. Auto emissions are the perfect source.

In response to a question about particulate matter, Bryce explained that PM 10 is primarily a winter inversion problem. PM episodes were measured this summer after the fireworks. The North Salt Lake monitor registered 174 ppm on July 7. (The standard is 150.) The levels were 166 ppm on July 11 and 156 ppm on July 13. In a two-week period through July 20th, the average was in the 130 range. Someone asked whether there was a smoke impact through the entire region during that time. Bryce said that smoke accounted for 20-30 mg of the total measured. The division is working on documenting the episode for EPA. Paul wanted to know if there would be a request of his industry for information. Bryce said there would be.

The compliance updates, for May-July are available here:

July Compliance: http://www.airquality.utah.gov/Air-Quality-Board/Packets/2007/September/Item_Xa_Compliance.pdf

July Air Toxics: http://www.airquality.utah.gov/Air-Quality-Board/Packets/2007/September/Item_Xb_Air_Toxics.pdf

June Compliance: http://www.airquality.utah.gov/Air-Quality-Board/Packets/2007/July/Informational/Compliance_May.pdf

June Air Toxics: http://www.airquality.utah.gov/Air-Quality-Board/Packets/2007/July/Informational/Air_Toxics_May.pdf

May Compliance: http://www.airquality.utah.gov/Air-Quality-Board/Packets/2007/June/informational/Compliance_Info_Items.pdf

May Air Toxics: http://www.airquality.utah.gov/Air-Quality-Board/Packets/2007/June/informational/Air_Toxics_Info_Itemt.pdf

Robert Ford updated the group on a “disconnect” with companies that do asbestos emergency response in homes. A meeting was planned for later in the week with insurance company representatives to discuss DAQ’s concerns.

DAQ Funding Task Force Update

Bryce reminded the group of the update he had given them last Fall on Air Quality funding. The 2007 Legislature gave the Division \$1.5 million in one time money to get through the upcoming fiscal year and also established a task force to look into the issue long term. Next year, the Division will be short \$3.5 million. Funding has been level for the past several years. No new monitoring equipment has been purchased since 2002 and the Division is in a position where it must now play catch up.

The Task Force will make a recommendation, tentatively scheduled for the September interim meeting. Some kind of fee will need to be imposed. Under consideration are a vehicle registration fee, a gas fee between one-tenth and two-tenths of a cent a gallon, increased permit fees, and a fee on minor sources of approximately \$500 to \$2,000 per source. The Task Force is interested in making a connection between what people emit and what they pay.

Mark May asked for a list task force members and the date of the next meeting. Task force members include:

Senator Sheldon L. Killpack
Senator Fred Fife
Senator Carlene Walker
Representative Wayne Harper
Representative Todd E. Kiser
Representative Neal B. Hendrickson
Chuck Chappell, Wasatch Front Regional Council
Alternate: Kip Billings
Rich Walje, President, Rocky Mountain Power
Alternate: Bill Lawson, Rocky Mounain Power
Dave Creer, Exec, Director, Utah Trucking Assoc.
Mayor Derrell H. Smith, Draper City
John Veranth, U of U
Steve Jenkins, Health Officer, Summit County
Lee Peacock, President, Ut. Petroleum Assoc
Tim Wagner, Sierra Club
John Njord, Executive Director, DOT

Joseph K. Miner, Utah County Health Department
Thomas E. Bingham, Utah Manufacturers' Assoc.
Kathy Van Dame, Wasatch Clean Air Coalition
Ernest E. Wessman, Board of AQ
Steve C. Sands, II, Kennecott Utah Copper
Don J. Sorensen, Tesoro
Commissioner Louenda H. Downs, Davis County
Dr. Brian Moench, Utah Physicians
Alternate: Gerald H. Ross

Information on the August meeting was sent by e-mail.

Climate Change Update

Paul Glauser and Renette Anderson briefed the CAP on the activities of the Governor's Blue Ribbon Advisory Council on Climate Change and on the Climate Change Stakeholder Workgroup. The BRAC is currently considering the options sent forward by the SWG and will finalize its report by the end of August. Paul felt the process had been a good one.

Detailed information is available at:

Air Quality Stakeholder Workgroup

http://www.deq.utah.gov/Issues/Climate_Change/index.htm

Governor's Blue Ribbon Advisory Council on Climate Change

http://www.deq.utah.gov/BRAC_Climate/index.htm

Ideas from 2007 Conference

Marie Marshall and Greg Sorenson attended the 2007 SBO/SBA/CAP Conference. Marie appreciated the "buddy system" that was established to introduce new CAP members to others. She was surprised to learn that not every State had a CAP and mentioned that there was a group working to insure that funding for CAPs continued. She also found the visit to a green printer interesting.

Greg reported other conference highlights included program and leadership training, updates on the new annual reporting system and upcoming area standards (auto body-surface coatings...) and demonstrations on tools and methods used by others. Presentations are available online at

<http://www.smallbiz-enviroweb.org/sba/conferences.html>

Next Meeting

The next CAP meeting will be held on Tuesday, November 6.